

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

UNITED STATES OF AMERICA)	
)	
v.)	Criminal Action No. 22-44-MN
)	
ROBERT HIGGINS,)	
)	
Defendant.)	

MOTION FOR A STATUS CONFERENCE

NOW COMES the United States of America, by and through its attorneys, David C. Weiss, United States Attorney for the District of Delaware, and Edmond Falgowski and Alexander Ibrahim, Assistant United States Attorneys for the District of Delaware, and hereby submits the following:

1. The defendant is presently charged in a second superseding indictment with five counts of tax evasion in violation of 26 U.S.C. § 7201, two counts of mail fraud in violation of 18 U.S.C. § 1341, and six counts of wire fraud in violation of 18 U.S.C. § 1343. (D.I. 15). After requests by the Defendant to extend the pretrial motions deadline, pretrial motions were due to be filed on or before December 19, 2022. (D.I. 21, 26). No motions were filed.

2. At the present time, a trial date has not been set for this matter. As a result, Speedy Trial time is currently being counted in this matter. In order to comply with the Speedy Trial Act, 18 U.S.C. § 3161, the government respectfully moves for a status conference. *See generally* 18 U.S.C. § 3161(h)(1)(H) (excluding time, not to exceed thirty days, during which any proceeding concerning the defendant is under advisement by the Court).

3. The government also respectfully requests that the Court exclude the time from the date of this motion until the date it sets for the status conference under the Speedy Trial Act. The government submits that the time is excludable because the ends of justice served by the delay

outweigh the best interest of the public and the defendant in a speedy trial. *See* 18 U.S.C. § 3161(h).

WHEREFORE, the government respectfully requests that the Court grant its Motion for a Status Conference. A proposed Order is attached.

Respectfully submitted,

DAVID C. WEISS
United States Attorney

By: /s/Edmond Falgowski
Edmond Falgowski
Alexander Ibrahim
Assistant United States Attorneys

Dated: December 23, 2022

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FOR THE DISTRICT OF DELAWARE**

UNITED STATES OF AMERICA

v.

ROBERT HIGGINS,

Defendant.

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Criminal Action No. 22-44-MN

ORDER

Having considered the government's Motion for a Status Conference, **IT IS HEREBY ORDERED** that a status conference is set for _____, 202__, at _____ a.m./p.m.

IT FURTHER ORDERED that the period from the date of this motion through the date of the above status conference is excluded under the Speedy Trial Act, because the ends of justice served by the delay outweigh the best interest of the public and the defendant in a speedy trial. *See* 18 U.S.C. § 3161(h).

HONORABLE MARYELLEN NOREIKA
United States District Judge

Dated: